

THE HONOURABLE SRI JUSTICE V. ESWARAI AH

WRIT PETITION No.9546 OF 2007

-
DATED: 09-07-2007

BETWEEN

P. Gayasuddin,
S/o. late P. Yasin Khan,
Occ: Business,
R/o. Habeebulla Street,
Kadapa, Kadapa District
and others.

...PETITIONERS

AND

State of Andhra Pradesh,
Rep. by The Superintendent
of Police, Kadapa District
and others.

...RESPONDENTS

ORDER:

-
-

Petitioners submit that they purchased land to an extent of Ac.1.43 cents in Sy.No.42/B2 at Kadapa Sahar, Kadapa Town from their lawful owner vide registered sale deed dated 20.10.2002 and their vendor purchased the same vide registered sale deed dated 02.07.1968 and there is no dispute with regard to the said property. They further submit that the suit filed by their vendor was decreed against the revenue officials. While so, some antisocial elements at the behest of politicians including the fifth respondent and others, threatened and manhandled them on 01.02.2007, 26.02.2007 and 24.03.2007 without any reason whatsoever, therefore, they have made representations before the revenue and police officials for necessary action but they have not taken any action. As the anti-social

elements again threatened to kill them, the petitioners made a representation before the Superintendent of Police, Kadapa, who vide an endorsement on 26.03.2007 advised the Station House Officer, II Town Police Station, Kadapa to enquire into the matter and take necessary action, but the second respondent has not taken any action.

2. Learned Government Pleader appearing for Home submits that the petitioners also made a written representation on 20.06.2007 before the Sub-Divisional Police Officer, Kadapa, pursuant to which a case in FIR No.53 of 2007 was registered under Sections 447, 323, 506 read with Section 34 of the Indian Penal Code, 1860, on 20.06.2007 itself against the fifth respondent and three others, namely, Chinna Dasthagiri, Jamalamma and Ghose of Khaleelnagar, Kadapa. It is further stated that pursuant to the earlier representation the second respondent made an enquiry and sent a report to the Superintendent of Police stating that the dispute between the petitioners and others is civil in nature.

3. In view of the registration of a case in FIR.No.53 of 2007 dated 20.06.2007, I am not inclined to express any opinion with regard to the alleged inaction on the part of the second respondent pursuant to the earlier representation dated 26.03.2007. However, as a case has been registered, the second respondent is directed to expedite the investigation and if there is any threat to the life of the petitioners, on specific applications filed by them seeking protection, appropriate action may be taken for providing necessary protection to the petitioners.

The writ petition is accordingly disposed of. There shall be no order as to costs.

V. ESWARAIAH, J

July 9, 2007
DSK

